REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims17-40, 46-51, and 57-66 are pending, with claims 17, 23, 29, 35, and 46 amended, claims 57-66 added, and claims 41-45 and 52-56 cancelled without prejudice or disclaimer by the present amendment. Claims 17, 23, 29, 35, 46, 57, and 62 are independent.

In the Official Action, claims 17-36, 38-42, 44-47, 49-53 and 55-56 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Hamilton (U.S. Patent Pub. No. 2002/0087973) and Newell (The ATSC Data Broadcasting Specification); and claims 37, 43, 48 and 54 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Hamilton, Newell and Newel II (Overview of the ATSC Data Broadcast Service Specification).

Claims 17, 23, 29, 35, and 46 are amended, and claims 57-66 are added, to more clearly describe and distinctly claim Applicant's invention. Support for this amendment is found in Applicant's originally filed specification.[1] No new matter is added.

Briefly recapitulating, amended claim 17 is directed to

> A method of operating a data broadcasting system that executes a data broadcast under a client-server environment, the method comprising the steps of:
>
> *downloading, at a client device, a data service table (DST) relating to a specific application;*
>
> extracting information relating to the specific application from the DST on the client device;

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[1] Specification, Figs. 1-5.

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downloading, at the client device and from a server, individual data sections of the specific application, based upon the extracted information;

extracting data from the downloaded individual data sections on the client device;

performing the following sequence of steps on the client device while the individual data sections are being downloaded and extracted:

extracting advertising-image related data from the DST, the advertising image related data including an advertisement image path;

downloading, from the server, an advertisement image based on the advertisement image path without configuring a module for extracting a directory object or a file object to display the advertisement image; and

displaying the downloaded advertisement image;

cancelling the step of displaying the advertisement image after all data sections of the specific application are downloaded and extracted by the client device; and

executing the specific application on the client device.

Independent claims 23, 29, 35 and 46 also recite features related to downloading, from a server, an advertisement image based on an advertisement image path without configuring a module for extracting a directory object or a file object to display the advertisement image.

Hamilton describes an apparatus in digital cable-system environment, the apparatus arranged to insert one or more local signals during a delay period associated with the execution of a channel change command. The apparatus includes: a memory for storing one or more local signals; a processor for recognizing the delay period associated with the channel change command; and a signal insertion module, coupled to the memory and the processor, for retrieving a local signal from the memory and for inserting the local signal in the delay period.

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However, as acknowledged by the Official Action, Hamilton fails to disclose or suggest, *inter alia*, Applicant's claimed DST and advertising image path. To cure the deficiencies of Hamilton, the Official Action applies Newell.

Newell describes how data is packaged and located in ATSC compliant MPEG-2 transport multiplexes. The ASTC Data Download protocol allows a broadcast server to deliver a set of modules with a defined mechanism for describing the contents of each module. ASTC includes a Service Description Framework (SDF) to provide a description of ATSC Data Broadcast and Interactive services. The main elements of the SDF are two tables called the Service Description Table (SDT) and the Network Resource Table (NRT).

The ASTC SDT of Newell provides a description of a data service comprised of one or multiple receiver applications. A data service may also consume more than one data stream. Each application that a data service requires is identified inside the SDT. Mechanisms are also provided to identify if the data is bootstrap data containing an application that must be downloaded first, or download data for an existing application. The SDT provides information to allow the receiver to associate applications with a data service. This is accomplished by including a Tap structure with each identified application. Inside the Tap is a field, associationTag, which corresponds to the association_tag value contained in the Association Tag Descriptor. This allows a binding between an application and the data referenced by a specific PID.

The ASTC NRT of Newell provides a list of all interactive and external broadcast connections used by the data service. Each of these connections is described by a Resource Descriptor. Each Resource Descriptor also features an associationTag value

providing a unique identification of the logical connection. The associationTag in the NRT is matched to one or several associationTag values in a corresponding SDT (e.g., associating an application with an Internet address where it may conduct electronic commerce.)

However, contrary to the Official Action, Newell does not cure the deficiencies of Hamilton. Specifically, Newell does not disclose or suggest Applicant's claimed advertising image or advertising image path. Indeed, neither the words advertising nor image, nor synonyms thereof, are mentioned in Newell. Thus, for a first reason, Applicant submits that claim 17 patentably defines over the applied references.

Newell also does not disclose or suggest Applicant's claimed step of "extracting advertising-image related data from the DST, the advertising-image related data including an advertisement image path." In Newell, the associationTag in the NRT is matched to one or several associationTag values in a corresponding SDT (e.g., associating an application with an Internet address where it may conduct electronic commerce.) Thus, in Newell, the application connects to a web server *via the NRT* to receive a particular file, not via an advertisement image path. Indeed, the data in the NRT is not an advertisement image path. Thus, for a second reason, Applicant submits that claim 17 patentably defines over the applied references.

Newell also does not disclose or suggest "downloading, from the server, an advertisement image based on the advertisement image path without configuring a module for extracting a directory object or a file object to display the advertisement image." Thus, for a third reason, Applicant submits that claim 17 patentably defines over the applied references.

For reasons similar to those presented above relative to claim 17, Applicant submits that claims 23, 29, 35 and 46 patentably define over the applied references.

Applicant has considered Newell II and submits Newell II does not cure the deficiencies noted above. As none of the cited art, individually or in combination, disclose or suggest at least the above-noted features of independent claims 23, 29, 35 and 46, Applicant submits the inventions defined by claims 23, 29, 35 and 46, and all claims depending therefrom, are not rendered obvious by the asserted references for at least the reasons stated above.

MPEP 2141 notes that prior art is not limited just to the references being applied, but includes the understanding of one of ordinary skill in the art. MPEP 2141 further notes that the prior art reference (or references when combined) need not teach or suggest all the claim limitations. However, an obviousness-type rejection must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art. MPEP 2141 goes on to list exemplary rationales that may support a conclusion of obviousness. However, Applicant submits that the Official Action and the applied references present no objective evidence that would support an obviousness-type rejection of Applicant's amended claims based on one of these exemplary rationales.

Turning now to new independent claims 57 and 62, Applicant submits that none of the applied references disclose or suggest a method or device for operating a data broadcasting system that executes a data broadcast under a client-server environment, the method comprising:

> receiving, at a client device, a data service table (DST) including a
> first type descriptor and a second type descriptor;

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extracting a first information referring to the first type descriptor and extracting a second information referring to the second type descriptor;

displaying the extracted second information on a screen prior to the extracted first information;

wherein the extracting the first information includes

a first step of receiving a plurality of data sections referring to the first type descriptor,

a second step of configuring the plurality of data sections as a module, and

a third step of extracting file objects from the module, and

wherein the step of extracting the second information is performed by without processing at least one of the first, second, and third steps.

Accordingly, independent claims 57 and 62, and all claims depending therefrom,

patentably define over the applied references for independent reasons.
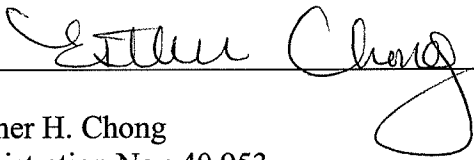
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CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael E. Monaco, Reg. No. 52,041 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By _____

Esther H. Chong
Registration No.: 40,953
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
Attorney for Applicant

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